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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,732	05/11/2001	David L. Huie	9326.001.00	4996
30827 7590 04/27/2007 MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006			EXAMINER ADDY, THJUAN KNOWLIN	
			ART UNIT	PAPER NUMBER
			2614	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/27/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/852,732

Applicant(s)

HUIE, DAVID L.

Examiner

Thjuan K. Addy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21, 24-26 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21, 24-26 and 28-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on November 07, 2005 has been entered. Claims 8, 11, 14, and 16 have been amended. Claims 22, 23, and 27 have been cancelled. No claims have been added. Claims 1-21, 24-26, and 28-35 are still pending in this application, with claims 1, 6, 8, 14, 20, and 24 being independent.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21, 24-26, and 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gainsboro (US 5,655,013), in view of Nelson et al (US 6,895,088).
4. In regards to claims 1, 6, 10, 11, 16, 18, and 20, Gainsboro discloses a call processing method for determining that a call has been call forwarded (See Fig. 5, col. 3 lines 16-28, and col. 6 lines 46-67) comprising: having a maximum allowed value at an origination switch (See col. 4 lines 34-57); receiving a notification (e.g., voice verification record); and analyzing the notification to determine if the call as been forwarded (See

col. 6 lines 46-67 and col. 10 lines 16-21). Gainsboro, however, does not disclose the use of an initial address message, nor a response message, in determining if the call has been forwarded. Nelson, however, does disclose the use of an initial address message (e.g., IAM), and a response message (e.g., answer message or ANM), in determining if the call has been forwarded (See col. 6 lines 8-14, col. 21 lines 47-53, col. 21-22 lines 66-15, col. 25 lines 48-65, and col. 27 lines 1-10). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method, as a way of receiving, processing, and transmitting call signaling information to a communication device using an IAM and an answer message to initiate and respond to a call being connected, in order to determine whether or not the call has actually been forwarded.

5. In regards to claims 2 and 32, Gainsboro discloses the call processing method and method of preventing forward calls from connecting, further comprising initiating fraud prevention activity (See col. 1 lines 28-40 and col. 2 lines 38-47).

6. In regards to claims 3 and 33, Gainsboro discloses the call processing method, wherein the fraud prevention activity includes terminating the call (See col. 6 lines 36-40 and col. 9 lines 1-25).

7. In regards to claims 4 and 34, Gainsboro discloses the call processing method, further comprising accessing a database (See Fig. 1 and computer control unit (CCU) 3) to obtain information indicative of whether the call represents unauthorized use of a communications network (See Abstract and col. 4 lines 16-18).

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8. In regards to claims 5, 17, 21, 28, and 35, Gainsboro discloses all of claims 5, 17, 21, 28, and 35 limitations, except the call processing method and method of preventing forward calls from connecting, wherein the first initial address message is an Integrated Services Digital Network (ISDN) User Part (ISUP) protocol Initial Address Message. Nelson, however, does disclose wherein the first initial address message is an Integrated Services Digital Network (ISDN) User Part (ISUP) protocol Initial Address Message (See col. 21-22 lines 66-4).

9. In regards to claims 7, 13, 19, and 31, Gainsboro discloses the call processing method and method of preventing forwarded calls from connecting, wherein the predetermined value is zero (See col. 9 lines 1-25).

10. In regards to claims 8, 14, and 15, Gainsboro discloses a method of processing a call, comprising: determining whether the call is a forwarded call (See Fig. 5, col. 3 lines 16-28, and col. 6 lines 46-67), wherein determining includes a redirection counter set to a maximum allowed; responsive to a determination that the call is a forwarded call, preventing the call from being completed; and initiating fraud prevention activity (See col. 9 lines 1-25). Gainsboro, however, does not disclose the use of a first initial address message. Nelson, however, does disclose the use of an initial address message (e.g., IAM) (See col. 6 lines 8-14, col. 21 lines 47-53, col. 21-22 lines 66-15, col. 25 lines 48-65, and col. 27 lines 1-10).

11. In regards to claims 9, 12, 24, and 26, Gainsboro discloses the method of processing a call and preventing forwarded calls from connecting, wherein the initiating fraud prevention activity comprises: determining whether a dialed telephone number is

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subject to a call restriction; determining a telephone station to which the call will be connected; testing a second telephone number (e.g., called party/number to which the call is forwarded) associated with the telephone station; and terminating the call if the second telephone number is subject to the call restriction (See col. 4 lines 34-41, col. 9 lines 14-25, and 10 lines 16-21).

12. In regards to claims 25, 29, and 30, Gainsboro discloses all of claims 25, 29, and 30 limitations, except the method or preventing forwarded calls from connecting, further comprising generating a release message indicating that the call could not be set up if the call is prevented from being connected to the second telephone station. Nelson, however, does disclose generating a release message (e.g., REL) indicating that the call could not be set up if the call is prevented from being connected to the second telephone station (e.g., called party) (See col. 28 lines 10-15).

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 1-21, 24-26, and 28-35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gainsboro et al (US 7,106,843) teach a computer-based method and apparatus for controlling, monitoring, recording and reporting telephone

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access. Karras (US 6,393,113) teaches means for and methods of detecting fraud, lack of credit, and the like from the SS#7 system network.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Thjuan K. Addy", with a long horizontal line extending to the right.

Thjuan K. Addy  
Patent Examiner  
AU 2614